

Remarks

In the final Office Action, Examiner rejects claims 14-19, 21, and 23-27 under 35 U.S.C. § 112, first paragraph, and rejects claims 1-19, 21, 23-27, 30, and 31 under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,961,731 to Holbrook (“Holbrook”).

By this Amendment, Applicants propose amending claims 1, 14, 15, 21, and 30 to improve form. Applicants submits that the proposed amendments of these do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Additionally, the proposed amendments put the application in better form for appeal. Therefore, this Amendment should allow for immediate action by the Examiner.

*Rejection Under 35 U.S.C. § 112,
First Paragraph*

Claims 14-19, 21, and 23-27 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. The Examiner contends that certain amendments, which were made by Applicants in the previous response, do not have enough support in the specification. In particular, the Examiner states that the claim recitations in claims 14 and 21 of “looking for predetermined terms in the search query that tend to indicate a particular document category is likely to be related to the search query,” are not supported by the specification. (Office Action, page 3.) Applicants note that in the proposed amendments to claims 14 and 21, the term “predetermined” is deleted.

To the extent that the Examiner may consider the amended claim language to fall short of being supported by the originally filed specification, Applicants respectfully disagree with the Examiner. Paragraph 0037 of the specification, for example, states:

[0037] As another implementation of ranking component 402, the ranking component may look for terms in the search query that tend to indicate a particular category is likely to be related. For example, the word “buy” in a search query may indicate the “products” category should be ranked highly.

(emphasis added.) Applicants submit that this paragraph in the specification fully supports the previous amendments to claims 14 and 21. In fact, the underlined portion of this paragraph is nearly a word-for-word quotation of the recited claim language. One difference between claims 14 and 21 and this section of the specification is that the specification refers to a “particular category” and claims 14 and 21 recite a “particular document category.” Applicants submit that one of ordinary skill in the art reading Applicant’s specification would realize that the category referred to in paragraph 0037 refers to a document category. (See, for example, the specification, paragraphs 0018 and 0030.) A second difference between claims 14 and 21 and this section of the specification is that the specification states a category “is likely to be related” and claims 14 and 21 recite a category “is likely to be related to a search query.” Again, Applicants submit that one of ordinary skill in the art reading Applicant’s specification would clearly recognize that “to be related” in paragraph 0037 refers to a search query.

For at least these reasons, Applicants submit that the rejection of claims 14-19, 21, and 23-27 under 35 U.S.C. § 112, first paragraph, should be withdrawn.

*Rejection Under
35 U.S.C. § 102(e)*

Claims 1-19, 21, 23-27, 30 and 31 stand rejected under 35 U.S.C. § 102(e) based on Holbrook. For the following reasons, Applicants respectfully traverse this rejection.

Claim 1 is directed to a method comprising performing a search to determine which documents are related to a search query, the search being performed, on a database including a plurality of document categories, to obtain a list of search results corresponding to each of at least two of the categories, the plurality of document categories including an image category; ranking the lists of search results relative to one another; and generating a document in which the search results are placed in an organization determined based, at least in part, on the ranking of the lists of search results.

Holbrook is directed to the organization and presentation of data, including displaying a graphical representation of categories for data elements. (Holbrook, Abstract.) Holbrook, however, does not disclose or suggest each of the features recited in claim 1. For example, Holbrook does not disclose or suggest ranking the lists of search results relative to one another, as recited in claim 1.

Holbrook, as shown in Fig. 4, for instance, describes an interface in which web sites 402 are graphically shown as belonging to parent categories 420. (Holbrook, col. 10, lines 41-43.) Although Holbrook does mention “ranking,” the ranking described by Holbrook refers to ranking web sites for a search query to obtain a rank number for the web site. (See Holbrook, column 9, lines 66 and 67; and column 10, lines 34-40.) Thus, Holbrook does not disclose or suggest, as is recited in claim 1, obtaining a list of search results corresponding to each of at least two categories and ranking the lists of search results relative to one another. At most, Holbrook can be said to rank web documents to

a search query. It can be appreciated that this is not equivalent to, as recited in claim 1, obtaining a list of search results corresponding to each of at least two categories and ranking the lists of search results relative to one another.

In rejecting claim 1, the Examiner points to column 9, lines 2-6 and column 10, lines 34-36 of Holbrook as allegedly disclosing “ranking the lists of search results relative to one another,” as recited in claim 1. (Office Action, page 4.) Applicants disagree with the Examiner’s interpretation of Holbrook. Column 9, lines 2-6 of Holbrook state:

For example, the window 202 in this particular embodiment shows two textual alternatives from which the user selects, either the first numerically ranked matching "1-50 sites", "1-100 sites" (not shown) or "all" (not shown), per search to be displayed.

(Holbrook, column 9, lines 2-6.) This section of Holbrook describes an interface in which a user may select that either the first 50 or the first 100 web sites matching a search query for display. In no way can this section of Holbrook be said to disclose or suggest ranking the lists of search results relative to one another, as recited in claim 1.

The cited portion of column 10 of Holbrook states:

As shown in FIG. 4, each matching web site for the search request in this embodiment is represented by its rank number. In the example shown, each matching web site or data element is represented by a bulb-like category member icon 402 having the web site's relative rank number depicted therein, such graphical representation referred to herein as a "web site icon or category member icon."

(Holbrook, column 10, lines 34-40.) This section of Holbrook discloses representing web sites by a “bulb-like category member icon 402” in which the relative rank number of the web site is depicted. As discussed above, obtaining and displaying a rank number for a

web site is not equivalent to, as recited in claim 1, ranking lists of search results relative to one another.

Arguments similar to those made above were presented previously by Applicants. In response, the Examiner maintains that Holbrook discloses “ranking the lists of search results relative to one another,” and cites column 10, lines 34-40 of Holbrook. (Office Action, page 2.) The Examiner states that in this section: “Holbrook clearly discloses, in the paragraph above, a relative ranking of the web site reads on the claimed ‘ranking list of search results relative to one another.’” (Office Action, page 2.)

Applicants strongly disagree with the Examiner’s interpretation of Holbrook. The section of Holbrook relied upon (column 10, lines 34-40) is reproduced above. As discussed previously, this section of Holbrook discloses locating matching web sites for a search request. This section of Holbrook further discloses that the web sites that are determined to match a search request are shown to the user in a graphical representation. It appears to Applicants that, in stating “a relative ranking of the web site,” the Examiner is referring to the rank number described by Holbrook. Assigning a web site a rank number that corresponds to the relevance of a search query to a web site, however, cannot reasonably be said to disclose or suggest ranking the lists of search results relative to one another, as recited in claim 1.

Claim 1 further recites generating a document in which the search results are placed in an organization determined based, at least in part, on the ranking of the lists of search results. Holbrook also does not disclose or suggest this aspect of claim 1. As an initial matter, Applicants note that because Holbrook does not disclose ranking the lists of search results as recited in claim 1, Holbrook could not possibly disclose generating the

document as recited in claim 1. Further, Applicants submit that although Holbrook describes the generation of a document in which search results are presented in graphical categories 420, the categories 420 of Holbrook do not appear to be described as being organized in any particular manner, much less in the manner recited in claim 1, in which the search results are placed in an organization determined based, at least in part, on the ranking of the lists of search results.

In the Final Office Action, the Examiner did not address the arguments made in the previous paragraph. Applicants request that the Examiner specifically address this argument or withdraw the rejection.

Claim 1 further recites that the plurality of document categories include an image category. Applicants submit that Holbrook also fails to disclose or suggest this aspect of claim 1. The Examiner points to Figs. 4, 10, and 11B, and column 10, lines 34-40 of Holbrook as allegedly being relevant to this feature of claim 1, stating that a “graphical representation such as ‘category icon’ corresponding to ‘image category’.” (Office Action, page 4.) Applicants submit that the category icon of Holbrook refers to the graphical representation that the system of Holbrook uses to display information to the user. This feature of Holbrook is not reasonably related to as, recited in claim 1, a “search being performed on a database containing a plurality of document categories ... the plurality of document categories including an image category.”

For at least these reasons, Applicants submit that Holbrook does not disclose or suggest each of the features of claim 1, and accordingly, the rejection of claim 1 based on Holbrook should be withdrawn. Claims 2-13 depend, either directly or indirectly, on claim 1, and therefore, the rejection of these claims should also be withdrawn.

Independent claim 14 also stands rejected under 35 U.S.C. § 102(e) based on Holbrook.

Claim 14 is directed to a search engine comprising a search component configured to identify which documents are related to a search query from a database including a plurality of document categories, the search component obtaining a list of search results corresponding to each of at least two of the categories; a ranking component configured to rank the lists of search results relative to one another, the ranking being based on the search query and including looking for terms in the search query that tend to indicate a particular document category is likely to be related to the search query; and an interface generation component configured to generate a document in which the search results are organized based, at least in part, on the ranking of the lists of search results.

As previously discussed, Holbrook does not disclose or suggest ranking lists of search results relative to one another. Holbrook, at most, can be said to rank web documents to a search query, but Holbrook does not disclose or suggest a ranking component configured to rank lists of search results relative to one another, as recited in claim 14.

Additionally, Applicants submit that Holbrook completely fails to disclose or suggest that the ranking is based on the search query and includes looking for terms in the search query that tend to indicate a particular document category is likely to be related to the search query, as is also recited in claim 14. In rejecting claim 14, the Examiner contended that this feature of claim 14 is disclosed by Holbrook at Figs. 4, 10, 11B and column 10, lines 34-40 of Holbrook. (Office Action, page 6.) This section of Holbrook

is discussed above. Applicants submit that nothing in Figs. 4, 10, 11B or in column 10, lines 34-40 of Holbrook discloses or suggests looking for terms in the search query that tend to indicate a particular document category is likely to be related to the search query, as recited in claim 14.

Applicants note that Holbrook does discuss “category paths.” (See Holbrook, column 9, lines 66 and 67). Here, Holbrook discloses “category paths of the search results that matched the search query (‘cars’).” (Holbrook, column 9, lines 66 and 67). Accordingly, Holbrook appears to identify categories based on search results. Applicants submit that this disclosure of Holbrook actually appears to teach away from looking for terms in the search query that tend to indicate a particular document category is likely to be related to the search query, as is recited in claim 14.

For at least these reasons, Applicants submit that Holbrook does not disclose or suggest each of the features of claim 14, and accordingly, the rejection of claim 14 based on Holbrook should be withdrawn. Claims 15-19 depend, either directly or indirectly, on Holbrook, and therefore, the rejection of these claims should also be withdrawn.

Independent claim 21 also stands rejected under 35 U.S.C. § 102(e) based on Holbrook.

Claim 21 is directed to a method of organizing documents categorized into a plurality of categories. The method includes receiving a search query; performing a search based on the search query in each of the plurality of categories to locate the documents; ranking the plurality of categories based on contents of the documents in each of the categories, the ranking also including looking for terms in the search query that tend to indicate a particular document category is likely to be related to the search

query; and generating a results document in which the documents are organized by category and in which the documents of higher ranking categories are more prominently placed in the results document.

Holbrook does not disclose or suggest each of the features of claim 21. Holbrook, for example, does not disclose or suggest ranking a plurality of categories based on contents of the documents in each of the categories, as recited in claim 21. Holbrook, at most, can be said to rank web documents to a search query, but Holbrook does not disclose or suggest ranking categories, as recited in claim 21.

Additionally, Applicants submit that Holbrook completely fails to disclose or suggest that the ranking also includes looking for terms in the search query that tend to indicate a particular document category is likely to be related to the search query, as is also recited in claim 21. In rejecting claim 21, the Examiner contended that this feature of claim 21 is disclosed by Holbrook at Figs. 4, 10, 11B and column 10, lines 34-40 of Holbrook. For reasons similar to those discussed with respect to claim 14, Applicants submit that this section of Holbrook does not even appear related to identifying a particular document category. If anything, Holbrook's disclosure of identifying category paths from search results tends to teach away from looking for terms in a search query that tend to indicate a particular document category is likely to be related to the search query, as is recited in claim 21.

For at least these reasons, Applicants submit that Holbrook does not disclose or suggest each of the features of claim 21, and accordingly, the rejection of claim 21 based on Holbrook should be withdrawn. Claims 23-27 depend, either directly or indirectly, on 21, and therefore, the rejection of these claims should also be withdrawn.

Independent claim 30 also stands rejected under 35 U.S.C. § 102(e) based on Holbrook.

Claim 30 recites features similar to, although different in scope than, those recited in claim 1. Accordingly, for reasons similar to those given above with respect to claim 1, Applicants submit that the rejection of claim 30 should be withdrawn. The rejection of claim 31, at least by virtue of its dependency from claim 30, should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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